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## THE REFORM MOVEMENT IN JUDAISM.

II<sup>1</sup>.

THE condition of religious affairs in German Jewry in the fourth decade of the nineteenth century was far from encouraging; it must be confessed that the high hopes entertained by the inaugurators of the reform movement that this would prove the panacea for all the ills from which Judaism was suffering had not been realized; the problem had not been solved; the conflict between traditional Judaism and modernism was as pronounced as ever. The Jews were divided into various parties which were characterized as follows in the year 1835 by one of the keenest observers: "the one party wishes everything to remain as it is . . .; no one shall presume to deprive them of anything which they have considered holy at any time; they mock at history, and all progress is monstrous in their eyes; they mock also at the true spirit which animates the synagogue, but they do not know this nor yet believe it, for proofs carry no weight with such. Then there is the other extreme. Because Judaism as constituted at present suffers from defects, therefore (think they) it should not exist at all; they would have it extirpated, and in its place would put an insignificant little tree which does not take root, nor blossom nor bear fruit. . . . And can you imagine even for a moment that such an unstable reed can take the place of the deeply rooted tree of the synagogue which furnished cooling shade and produced refreshing fruit for so many centuries? This tree has grown too rank, and possibly

<sup>1</sup> For Article I, see *J.Q.R.*, XV, 475 ff.

crooked, but prop it up, prune it, and it will do better. Has not the present age, which has caused you to adopt views so radically different from those of your fathers, also the power to make you conscious of the good in the past so that you destroy this not wilfully?<sup>1</sup>” Between these two extremes there were many varying shades of opinion inclining more or less to the one or the other. The waters were deeply troubled. The reformers had not grasped the situation in its totality. They thought that a few synagogal reforms were all that was necessary to solve the conflict between rabbinical Judaism and the modern spirit, but they overlooked the all-important fact that the public worship in the synagogue has never been all of Judaism; they were influenced too much by their Christian environment in this matter; in Protestantism, and still more in Catholicism, the church service is the pivot on which the whole system revolves; all religious acts are connected in one way or another with the ecclesiastical cult; important as the place of the synagogue and its services in Jewish life had always been, yet did they not loom so large upon the horizon of Judaism as did the church and its services upon the horizon of Christianity; there were many religious acts and customs which had no necessary connexion with the synagogue service, but were performed in the home, under the blue of heaven, on a journey, or where not? Judaism is not so much a church-going institution as a view of life: its teachings are concerned with the whole tangled web of existence; therefore by laying all the stress of their activity upon the improvement of the public worship the early reformers, notably of Westphalia, Berlin, and Hamburg, betrayed their incompetency to deal with the problem; the trouble lay too deep to be removed by the introduction of a few liturgical changes and improvements; the real task lay

<sup>1</sup> Geiger, *Wissenschaftliche Zeitschrift für jüdische Theologie*, I, pp. 8-9; see also *ibid.*, *Jüdische Geschichte von 1830 bis zur Gegenwart* (1850), in *Nachgelassene Schriften*, II, pp. 264 ff.

in the adaptation of the ideas and ideals of Judaism to the new circumstances wherein the people found themselves in their new environment. The voices were crying in the wilderness. The rising generation was drifting further and further away. Religious affairs were in a chaotic condition in many places: a number of congregations had no rabbi; since the death of Hirschl Levin in 1800 the congregation of Berlin, for example, had no rabbinical chief; a rabbi of the old school was not appointed to the position because he did not understand the new situation, nor was a younger man, graduated with the degree of doctor of philosophy from one of the universities, appointed, because many feared that such were not imbued sufficiently with the traditional spirit. Yet, although the reform movement had not brought thus far the healing to distracted Jewry that its advocates had expected confidently, still did this not minimize by one jot the necessity for reform. The first generation of reformers had diagnosed the disease correctly, but they had not found the proper remedy. The time had come for a more thorough consideration of the problem. If those first reformers had not mastered the task they had undertaken, they had pointed the way at least. They were succeeded by a number of remarkable men, whose activity in the cause of reform began in the latter half of the fourth decade of the nineteenth century, and whom we distinguish as the second generation of reformers. These men, chief among whom were Abraham Geiger, Samuel Holdheim, David Einhorn, Ludwig Philippson, Leopold Stein, Samuel Hirsch, S. Adler, Joseph Aub, and others, placed the reform movement on the sound basis of scholarly investigation, philosophical reasoning, and latter-day justification. The programme of the zeal of this second generation, under whose guidance and activity the reform movement entered upon a new phase, was well expressed by the greatest of their number, when he wrote "we are beyond the point of considering the salvation of Judaism dependent

upon external embellishments (of the service) and of paying no attention whatsoever to the religious view-point and the religious life as a whole, on the plea that the entire religious life is a matter of private concern and touches the individual conscience; no, the question of the hour is this,—to determine what are the spirit and the teaching, the doctrines and the duties of life peculiar to Judaism and inherent in it<sup>1</sup>." This was the new note struck by this new generation. Although they recognized the necessity of external reforms in the service, and advocated them, yet they gazed more deeply into the heart of the situation; for them this was only an incident, not the essence of reform; their purpose was to get at the root of the matter by research and investigation, to set forth the principles of Judaism, to establish the eternal validity of those principles, to express them in a manner consonant with the outlook of their generation, to distinguish between the permanent and the transitory elements, to bring Judaism into harmony with the changed conditions in which the people were placed in the new time,—in a word to clothe the spirit of Judaism with a new form, for they felt that "first must the dead letter of religion own itself dead and drop piecemeal into dust, if the living spirit of religion, freed from this charnel house, is to arise on us new-born of Heaven, and with new healing under its wing."

Active with tongue and pen, adepts in ancient lore and modern learning, they grappled earnestly with the problem that confronted them. However, before giving a more or less detailed account of their thought and work, I consider it fitting to let them express themselves on the general aspect of the subject, with which their names will be identified for all time in the annals of Judaism: "Reform means for us, changed, new appearance; a rejuvenated life, forms permeated and saturated with the spirit. The difficult and the easy, the whole and the part, are to receive meaning and significance, to uplift the spirit, and kindle the heart,

<sup>1</sup> Geiger, *Der Hamburger Tempelstreit*, in *Nachgelassene Schriften*, I, 194.

in order that the religion may influence the entire view and course of life<sup>1</sup>"; "we wish to be, we should be children of our time, and as children of this age we must strive to realize for our contemporaries the true standpoint of Judaism, which has never been content to be a faith divorced from life or a practice at variance with belief<sup>2</sup>." Thus wrote Geiger, and Holdheim expressed himself similarly: "Reform means not merely the removal of abuses and the suppression of the antiquated conceptions whereon these abuses rest, but it means the purification and the clarification of religion by the removal of the abuses, so that this may act in a salutary manner upon spirit and disposition<sup>3</sup>"; and again "I shall attempt to answer the question why our time is so completely different in all its elements and requirements from those of rabbinical Judaism; but one of two alternatives is possible for the Jew, either to be a rabbinical Jew and live aloof from the age, or to live in the age and cease being a rabbinical Jew. The spirit of rabbinical Judaism is diametrically opposed to the spirit of our time. Rabbinical Judaism has converted into religious ideas and tendencies all the exclusive national ideas and tendencies of the Bible which were intended for entirely different conditions and circumstances, and has thereby given them eternal validity. The rabbis have perpetuated as religion the temporary part of Mosaism, the symbolism and particularism of the theocracy, and, on the other hand, they misconceived and neglected its eternal element, the ideal of universalism, which was in truth the real purpose of the theocracy. Hence the irreconcilable conflict between rabbinical Judaism and the spirit of the modern age<sup>4</sup>." The matter was never put more clearly than in the response of David Einhorn to a Christian, who had written to him for information as to the meaning and purpose of the new

<sup>1</sup> Geiger, *Wissenschaftliche Zeitschrift für jüdische Theologie*, II, 211.

<sup>2</sup> Ibid. 220.

<sup>3</sup> *Geschichte der Berliner Reformgemeinde*, Berlin, 1857, p. 200.

<sup>4</sup> *Reformbestrebung und Emancipation* (appendix to *Das Ceremonialgesetz im Gottesreich*, Schwerin, 1845), p. 123.

movement in Judaism: "A thorough reform of Judaism based upon the immovable foundation stones of Mosaism, viz. monotheism and revealed religion, certainly finds full sanction within the bounds of Jewish ecclesiastical history. Nearly all modern Jewish theologians have made such a reform their programme, and at the very outset have postulated by silent agreement the following two principles of procedure as demanded by the necessities of the case: first to unchain by the breath of the living spirit the forms that had become rigid and to make them fluid, and secondly to sift these forms according to their antiquity and essentiality, and in accordance with the results of such sifting to reduce their great number, beneath whose burden Judaism, without a doubt, is sighing and panting. The solution of the latter half of this programme is dependent palpably upon that of the first half. First of all, the principle of sincerity as opposed to empty formalism had to be re-established on the basis of prophetic teaching, the religion had to be restored to its original purity, and the relation of doctrine to legislation had to be determined hereby, in order that it would be possible to distinguish the human, political, and temporal elements in Judaism from the divine, essential, and permanent<sup>1</sup>." And as one further statement of the situation I quote the words of the foremost organizing genius of the group of reformers, the editor of the *Allgemeine Zeitung des Judenthums*: "We have devoted ourselves to and have acquired the culture which mankind has developed during the course of thousands of years; but Judaism has preserved its eternal divine content in forms, the most of which were the outcome of temporal conditions; they have therefore lived their day. This exterior must be re-fashioned, this form must be changed if Judaism is to continue to influence the lives of its followers in accordance with its purpose and its power, and if it is to persist among the world forces in a manner

<sup>1</sup> *Allgemeine Zeitung des Judenthums*, VIII, 87.

worthy of its high destiny<sup>1</sup>." As is apparent from these utterances the situation was grasped clearly, but how was it to be met successfully? Here the second generation of reformers profited by the shortcomings of their predecessors. Instead of directing all their energy to the introduction of external liturgical reforms, they determined to begin at the foundation and work upwards; their programme was, to establish reform on a scientific basis, to set forth clearly the essential truths of Judaism, to let the light of investigation play upon its principles, to investigate the validity of every doctrine and every form, to determine which religious institutions had outlived their usefulness, and were hindering rather than helping the religious life, which conduced to the furtherance of the Jewish ideals, and which were in conflict with the modern spirit and modern needs<sup>2</sup>; and then when scholarship had thus established the foundation and had separated the permanent from the passing, the essential from the formal, the work of practical reform was to begin. It is apparent that here was a new departure; there was to be no break between past and present; the reform movement was shown to be justified, because there had always been development in Judaism; investigation proved that different forms arose in different ages, that Judaism in separate lands adapted itself to conditions, that authorities of aforesaid times did not scruple to meet extraordinary situations by extraordinary enactments, that the whole body of Jewish observance is a product of the ages, that the liturgy of the synagogue, its prayers, its benedictions, were the growth of centuries. All this being established by a study of the sources and by the insight into the conditions of the past, the logical conclusion was that the present requirements could be satisfied by such measures as the situation required, for life spelt progressive development and standstill meant decay and death<sup>3</sup>.

<sup>1</sup> Philippson, *ibid.* IX, 516.

<sup>2</sup> Geiger, *ibid.* IX, 340.

<sup>3</sup> Cf. Geiger, *Wissenschaftliche Zeitschrift für jüdische Theologie*, I, pp. 10,



The man who more than any other directed the reform movement into this channel was Abraham Geiger, born at Frankfort-on-the-Maine, May 24, 1810. Geiger possessed all the necessary qualifications for such a task. He combined a thorough mastery of the Jewish sources with a modern university education. His erudition was profound, and his insight keen. He was not only learned, but wise. When he was but twenty-three years of age he published his doctor's dissertation, "What did Mohammed take from Judaism<sup>1</sup>?"—a study which evinced a splendid grasp of both Mohammedan and Jewish sources, a study, too, whose value the lapse of time has not diminished, for a new edition has been issued very recently (in 1902), almost seventy years after the original publication. In addition to his special Jewish activities he found time to carry on investigations in the broader field of general Semitic learning, for contributions from his pen appeared in learned periodicals, notably in the foremost Oriental publication of his day, the magazine of the German Oriental Society (*Zeitschrift der Deutschen Morgenländischen Gesellschaft*). In him were joined great scholarship and practical activity, for he was preacher and student, reformer and scientific investigator, fighter for his rights before the government, and keen solver of difficult literary problems. He was most ingenuous in his interpretation of difficult points of Biblical exegesis and of Jewish literature and history, as his *Urschrift der Bibel* and the many studies in the two magazines<sup>2</sup> he established, amply prove. His three series of lectures on Judaism and its history<sup>3</sup> show a fine philosophical grasp of the intent of

11, 222, II, 569; *Nachgelassene Schriften*, I, 127, 133, 187, 204; Holdheim, *Verketerzung und Gewissensfreiheit*, passim; Ritter, *Samuel Holdheim*, 66, 76, 167; Jost, *Geschichte des Judenthums und seiner Sekten*, III, 352; Loew, *Gesammelte Schriften*, II, 206, 271, 455; Levin, *Reform des Judenthums*, 25, 56, 61.

<sup>1</sup> *Was hat Mohammed aus dem Judenthume aufgenommen?* Bonn, 1833.

<sup>2</sup> *Wissenschaftliche Zeitschrift für jüdische Theologie*, six volumes, 1835-1848; *Jüdische Zeitschrift für Wissenschaft und Leben*, Breslau, eleven volumes, 1862-1874.

<sup>3</sup> *Das Judenthum und seine Geschichte*, Breslau, 1865.

Judaism from Biblical times; his epoch-making essay on the Pharisees and Sadducees revolutionized the thought of the learned world on the significance of these two parties in Jewish antiquity. The current ideas about these parties were founded particularly upon the notices in Josephus and the New Testament: the Pharisees were looked upon as the reactionary party among the Jews, the formalists, the religious hypocrites, slaves of the letter, enemies of the spirit; Geiger's researches into Jewish literature convinced him that quite the contrary was the case, that the Pharisees were the party of progress and the Pharisaic leaders or, in other words, the great rabbis and teachers from the second pre-Christian century onward, interpreting the law in a spirit required by the necessities of the people, protested against the assumptions of the Sadducees, the conservative party of the priestly and aristocratic classes.

Speaking broadly, it may be said that he viewed the whole story of Judaism from its very beginnings as an evolution; he claimed that the rabbinical party, who made the Talmud the final court of appeal in religious belief and practice misinterpreted Judaism, and he used the significant term, "Talmud-Karaïtes," when writing of them. The Talmudic period was only a phase in the development of Judaism; to base all doctrine and practice upon the Talmud through the *Shulchan Arukh* and to claim that this was the norm of authority for all future generations, was in its way Karaism as rank as any that the sect founded by Anan was guilty of. The term, however, was in reality a retort upon the rabbinical party, one of whose favourite charges against the reform movement, was that it was simply Karaism over again, that is, a renouncing of all tradition, and an acceptance of nothing as authoritative except the letter of the Bible. To Geiger and his co-workers, however, this did not apply; for them Judaism was an ever-developing faith; they accepted and even insisted upon the *principle of tradition*, but they refused to accede to the rabbinical claim that *all tradition was in the Talmud*; neither Bible nor Talmud, neither

casuistics nor philosophy, neither commentaries nor codes, are the whole of Judaism, but are links in the century-long chain; they are aspects of Judaism, and the time had come for the age-old religion to assume a new aspect; life demanded it, the changed circumstances required it. Geiger presented this thesis in a hundred different ways. For him the reform movement was a necessary incident in the history of Judaism.

True, he was not altogether original in his claim that a study of the sources would prove that there had always been a living stream of thought-development in Judaism. As has been shown this had been the programme of the short-lived "Society for the Science of Judaism" (*Verein für die Wissenschaft des Judenthums*)<sup>1</sup>, as it had likewise been the thesis which Zunz had undertaken to prove in his *Gottesdienstliche Vorträge der Juden*<sup>2</sup>. But Geiger brought this theoretical programme into conscious connexion with practical effort, and thus made it a living issue; it became the starting-point of the second chapter in the history of reform in Germany. Geiger was convinced firmly that by this procedure only would reform be able to take the place it should as the necessary and logical interpretation of Judaism in the changed conditions wherein the lives of its confessors were passed at this time. "Judaism must receive its scientific foundation," he once wrote; "its truths must be clearly expressed, its principles must be probed, purified, established, even though they be not finally defined; the investigation into the justification and the authority of its sources and the knowledge of these are the constant object of study. Dependent upon this theoretical work is the practical purpose which keeps in view the needs of the community, at least of the German Jewish community; from this union of the theoretical and the practical will flow the insight into what rules of life are necessary, and which institutions and religious practices will serve indeed to improve the religious life, which are moribund, and which are in such

<sup>1</sup> *J. Q. R.*, XV, 505.

<sup>2</sup> *Ibid.* 506.

contradiction with our needs and conditions as to preclude any further helpful influence from them, but the obstinate adherence to which will lame strong and active purposes. This knowledge of the true significance of Jewish doctrine and of the present must arouse to united effort all such as are sincerely interested, so that a transformation of Jewish religious practice in harmony with the changed point of view of our time may result, and awaken true inner conviction and noble religious activity<sup>1</sup>." Imbued with these thoughts Geiger began his active work in the cause of reform by establishing in 1835 the critical magazine already mentioned, his *Wissenschaftliche Zeitschrift für jüdische Theologie*; this was to be the organ for the expression of these views and for the publication of studies on Jewish theology, history, and literature. The opening article from the pen of the youthful editor (he was twenty-five years of age at the time) is in a manner the declaration of the aim and purpose of the magazine; it is entitled "The Judaism of our Time and its Aims." Two brief extracts will set forth the trend of the writer's thought. "Salvation lies not in the violent and reckless excision of everything which has descended to us from the past, but in the careful search into its deeper meaning, and in the aim to continue to develop historically that which has grown historically now that we have become organs of history, checking here, helping forward there, following the wheel of time here, forcibly putting our hand to its transformation there, and constantly furthering its development with steadfast purpose<sup>2</sup>"; and a little further along he writes: "We need men who will show that Judaism has become what it is gradually, and who will not hesitate to demonstrate by valid proofs against such as are biassed in their views, that much which is now believed and observed is not tradition, and cannot be established by a correct exegesis, but is a product of a certain time, and can therefore be re-

<sup>1</sup> *Allgemeine Zeitung des Judenthums*, IX. 340.

<sup>2</sup> Vol. I, 2.

moved by time<sup>1</sup>." Geiger was rabbi in Wiesbaden at this time; he had already taken his place as a leader, despite his youth; in him many recognized the coming man who was to reconcile Judaism with the new life. It is interesting to note that just at the time that Geiger was beginning his work, which was to become devoted to the reform cause more and more pronouncedly with the passing of the years, another youthful savant made his appearance in the world of letters with a publication that denounced the reform movement and espoused the cause of rabbinical Judaism with positiveness and decision. Samson Raphael Hirsch, the rabbi of Oldenburg, published anonymously in 1836 his *Nineteen Letters of Ben Uziel*, in which he attempted to establish the thesis that every jot and tittle of the written and the oral law are of eternal validity. The letters were written ostensibly in answer to the questions and doubts of an inquirer, whose inherited traditional beliefs had been disturbed sadly by the spirit of the new age. The letters were regarded as a polemical utterance against the reform tendencies of the time, and aroused much attention and discussion. Rabbinism, as well as Reform, had found its champion in a scholar, who combined modern learning with a thorough knowledge of Hebrew lore. Abraham Geiger and Samson Raphael Hirsch are the foremost names in the theological history of modern Judaism, as representing the two opposing streams of thought. Not even his bitterest opponents denied Hirsch's sincerity and the intense warmth of his religious nature; but in order to explain and to justify the ceremonies he resorted to a forced symbolism. He had no sympathy with the cry that there was a conflict between rabbinico-ceremonial Judaism and the life in the modern world; if there was such a conflict, life had to be conformed to traditional practice; Hirsch's Judaism spelt antiquarianism and romanticism; in his opinion, the ceremonial and not the universal prophetic element was the main consideration; he stated his position broadly thus: "Every

<sup>1</sup> Ibid. 11.

distinction between eternal and temporary, absolute and relative in religious affairs, is both false and conducive to falsehood." This statement expresses the irreconcilable conflict between rabbinism and reform, and basing upon utterances like this the reformer is unassailable in his contention, that the rabbinical party must either observe every enactment and injunction contained in the rabbinical codes or else in honesty concede the correctness of the reform position. If the progress of time and the needs of life in these latter days have made impossible the observance of even one Talmudical or rabbinical enactment of unquestioned validity in the heyday of rabbinical Judaism, then the reform standpoint is justified. It is not a matter of quantity, but of universality in observance. Either the fourfold code has authority, or it has not. If it has, who shall distinguish between its ordinances as of greater or less validity? The reformer declares openly that the *Shulchan Arukh* has no binding authority; the rabbinist presumably accepts the code's authority and yet disregards many of its injunctions, as indeed he must, or life would be impossible in the modern environment.

The ceremonialism and legalism of rabbinical Judaism were an esoteric product. As long as Jewry was a close community without connexion with the world this esoteric product might well pass muster as a satisfactory expression of the religious consciousness. But when Jewry put out feelers and began to share in the larger interests of the world, when the badge of exclusion was exchanged for the insignia of citizenship, when Judaism had to strive with the world's materialistic forces for the upper hand in shaping the life and thought of its followers, then truly rabbinism no longer proved a competent expression of the religious spirit; it did not maintain a harmony in the life of the Jew within and without the synagogue, nor did it satisfy the intellectual and spiritual aspiration of thousands. Reform sought to remedy this, and in the thought of Geiger, Holdheim, their contemporaries and successors, it is more than a matter of

disregarding rabbinical enactments, more than a system of pale negations. It represents a positive standpoint. If rabbinism stands for the esoteric system of custom and practice developed in Judaism while this was separated from the surrounding world, then reform is expressive of the broader development of the universal religious element in Judaism. The absolute conflict between rabbinism and the larger life, which the Jew entered upon after the dawn of the era of emancipation, bred that indifference to the religion which marked so many. Judaism had ceased to mean anything for them. In its rabbinical guise it was merely an echo of a past age. The point at issue was, are life and religion things apart? Judaism had always answered this question in the negative. Its guiding spirits had attempted always to establish a connexion between the religion and every act of life; this in truth had been the purpose of that phase of the religion which we designate by the term rabbinism. But when the life of the Jews began to assume the larger sweep, rabbinism, as it had found definite expression in the fourfold code, was not equal to the task of religious guidance. It could not and would not burst its legalistic shell, and for it life and the religion did drift further and further apart in the new time, and thus there was violated the vital principle of their necessary and intimate connexion; this principle it was the purpose and desire of reform to confirm in a changed environment, by interpreting the eternal verities of the religion in a manner that should appeal to a state of mind, thought, and belief as distant from the outlook of Jewish mediaevalism as is pole from pole. The reform movement then is not a religious freak, nor was it correctly described when its purpose was declared by its doughty antagonist to be "to take a standpoint outside of Judaism, to accept a conception derived from strangers of the purposes of human life and the object of liberty, and then in correspondence with this borrowed notion to cut, curtail, and obliterate

the tenets and ordinances of Judaism<sup>1</sup>." It has its proper place in the development of Judaism as a religion, the prime article of whose practical endeavour has been from the very beginning to inform all of life with the religious spirit; it is in this sense that this movement is to be interpreted, viz. as the earnest effort to reconcile the life of the Jews with the religion, and to make the religion the living expression of latter-day aspirations. The fourth and fifth decades of the nineteenth century witnessed many practical efforts to give these ideas shape; it was a time of great religious activity, notably in Germany; the hosts of rabbinism and reform were pitted against each other as never before. The leading German Jewish communities, such as Berlin, Breslau, Frankfort-on-the-Maine, and Hamburg, were the scenes of notable conflicts between the parties; three rabbinical conferences gathered together the leading exponents of the teachings that passed under the name of reform: the agitation spread also to other lands, such as Hungary and England. I shall undertake to set forth the most notable of these episodes in the history of the reform movement, in order to give as complete a picture as may be of religious conditions in that "fermentation period" of Jewish life.

#### THE GEIGER-TIKTIN CONTROVERSY.

The all-absorbing episode in German Jewish religious life at the close of the fourth decade of the nineteenth century was the strife engendered in the congregation of Breslau by the election of Abraham Geiger as rabbinical colleague to S. A. Tiktin, who had served in the capacity of rabbinical chief of that community since the year 1821. Tiktin was a typical representative of the old school of rabbis. He interpreted his duties to consist chiefly in the answering of ritual questions and in the presiding over the rabbinical court (Beth Din), which still had jurisdiction

<sup>1</sup> *The Nineteen Letters of Ben Uziel* (Engl. translation), 174.



in such matters affecting Jewish life as the granting of divorce, the giving of Chalitzah, &c. He was totally blind to the signs of the times, and deaf to the voices of his generation. He was a survival from a past age, and could not adapt himself to the new surroundings. The Jewish community of Breslau, like other congregations in the large cities of Germany, was no longer satisfied with the old condition of affairs. The desire was abroad for a preacher, who, a child of the new age, would be able to set forth the truths of the religion in the vernacular, to guide and teach the young, many of whom were being repelled by religious methods that were unintelligible and incomprehensible to them, and to win back to the fold many who had drifted away, because the religious attitude of such leaders as Tiktin was uncongenial to them. The latter-day generation was out of sympathy with the official interpretation of Judaism, and something had to be done to stem the tide of dissatisfaction and indifferentism. The officials of the community therefore determined to secure the services of some one of the new school of rabbis, a man cognizant of the needs of his generation, in sympathy with the religious spirit of the time, capable of preaching in the vernacular, able to superintend the religious education of the young by methods in consonance with the standards obtaining in the new world wherein the Jews were now living, and at the same time an adept in rabbinical lore and thoroughly familiar with the traditional duties of the rabbinical office. In a word, official demand was made by a great Jewish congregation in Germany for a rabbi who was to combine a modern scientific university training and pulpit eloquence with Jewish learning and rabbinical knowledge<sup>1</sup>. A number of names were con-

<sup>1</sup> The exact wording of this notice which appeared at the end of March, 1838, was that the congregation desired a "theologian of comprehensive Biblical and Talmudical attainments, thorough scientific training and strict religiosity, who, besides fulfilling the functions of a *dayan*, is able to

sidered, but the choice fell upon Geiger. His views were well known; he had declared his religious standpoint clearly, viz. that the requirements of the age had to be met, that the Talmud was not an infallible authority, that the rites and ceremonies of the religion had to be subjected to research, and if found to be subversive of the spirit of true religion rather than helpful, to be changed or discarded; ceremonies that furthered the religious life in one generation might be a drawback to another; he even quoted the Talmud in support of this, adducing the Talmudical dicta that only such religious enactments are valid as are adopted by all Israel or as are reconcilable with the demands of life<sup>1</sup>; he did not then object to ceremonies as such, but to the abuse of ceremonialism; he had given public expression to these thoughts frequently. However, he felt that though the individual might entertain these ideas, yet as a member of the House of Israel he must observe what had traditional sanction until an authorized body had declared its validity at an end; therefore, while still at Wiesbaden, he had issued a call for a rabbinical conference (the first call of its kind) for the consideration of the problems that were vexing the Jewish communities, and for the adoption of such practical measures, and bringing into being such practical institutions, as might meet the necessities of modern Jewry. This conference will be discussed in its proper place. He was thus thoroughly alive to the situation. After six years of service in Wiesbaden he found himself cramped in his activity and unable to influence the communities of Nassau, the country whereof Wiesbaden was the capital, as he wished; he therefore determined to resign and return to his

deliver instructive and edifying addresses every Sabbath in pure German"; eight rabbis applied for the position, and four others, Philippson, Holdheim, Herxheimer and Geiger, declared their willingness privately to accept the position.

<sup>1</sup> Talm. Bab. *Aboda Zara*, 36 a, בכל ישראל, פשט איסורו בכל ישראל.

Ibid. אין גורין גוריה על הצבור אלא אם כן רוב הצבור יכולין לעמוד בה.

birthplace, Frankfort-on-the-Maine; shortly after this the announcement of the Breslau congregation calling for applications for the rabbinical post appeared; he was induced to preach in the Prussian city on July 21, 1838; five days thereafter he was elected to fill the position.

A wretched campaign of petty personalities and worse began to be waged against him at once. One of the most distressing features in this Geiger-Tiktin affair, as in all similar controversies between the rabbinical and the reform parties at this time, was the induction of personalities and the employment of any measures whatsoever to discredit the opposition. In the controversy in question it was the Tiktin party that was guilty of these tactics. They called into play every imaginable agency to fortify their own position and to prevent the accession of Geiger to his new office. The first gun in the campaign was fired from Wiesbaden. A communication dated from that place appeared in the columns of the *Allgemeine Zeitung des Judenthums*, which stated that Geiger had been forced to leave Wiesbaden because of certain religious irregularities, such as the desecration of the Sabbath and the like. I mention this disagreeable incident in order to give a place to the wise words uttered in connexion therewith by the famous champion of Jewish emancipation in Germany, Dr. Gabriel Riesser. In addition to a communication from the officers of the congregation of Wiesbaden contradicting the calumnious report, a letter was written by Riesser in defence of Geiger. In this letter the great Jewish statesman gives utterance to some general statements that throw light upon the situation. He wrote, "May those who represent advanced views bear in mind that true wisdom is always joined with mildness, that malice never converts the erring but strengthens him in his attitude, and that it is very unfitting to combat error (so long as this does not assume the aspect of injustice) with the weapons of hatred. But may those others who do battle for traditional opinions recognize that personal persecution,

intrigue, and calumny have as their only result the dishonouring and shaming of the cause they mean to serve<sup>1</sup>."

The second step was taken by the Breslau opposition; before Geiger could assume the position to which he had been elected it was necessary for him to receive his naturalization papers as a citizen of Prussia. Four members of the congregation petitioned the government to refuse this; they charged that the election was not regular; the government sustained the officials of the congregation who had elected the candidate by a vote of fifty-six to one; the opposition thereupon accused Geiger of being an innovator, and quoted the various governmental edicts of former years forbidding innovations in the Jewish service; in vain: the government seemed to have passed beyond the stage of petty interference with the private affairs of Jewish congregations, as was apparent from the answer to the final great effort of the opposition. They memorialized the government in a detailed statement in which Geiger was charged with holding views completely and thoroughly opposed to the rabbinical standpoint. Politics, whether civic or religious, make strange bed-fellows. The protagonists of the orthodox rabbinical party of Breslau besought the aid of a notoriously lax Jew, Joel Jacobi (who, in fact, was converted to Catholicism shortly thereafter), in the preparation of the *pro memoria* which they desired to present to the government. The minister of public worship submitted portions of this document to Geiger, who had settled in Berlin while these negotiations were pending, for answer. His answer was so satisfactory that the government declared the election valid, and granted him his naturalization papers on December 6, 1839, fifteen months after his opponents had inaugurated the campaign against him. His persistence had won the victory; during his residence in Berlin he left no stone unturned;

<sup>1</sup> *Allgemeine Zeitung des Judenthums*, II, 113.

he kept the matter constantly before the government officials, and was justified of his course in the end<sup>1</sup>.

His political status assured, he returned to Breslau and delivered his inaugural sermon on Jan. 4, 1840, in which he sounded the keynote of his thought in these words: "Judaism is not a finished tale; there is much in its present form that must be changed or abolished; it can assume a better and higher position in the world only if it will rejuvenate itself; all should unite in this work<sup>2</sup>." He gave practical earnest of his thought by untiring activity in the cause; he preached in the vernacular, instituted classes for the instruction of the young, delivered lectures on Jewish history and literature, and continued his literary work. All this, too, in spite of the fact that the opposition toiled unremittingly to undermine his position. Tiktin, as a matter of course, refused to recognize him as a colleague. The old rabbi was fully consistent in this; for him Judaism meant the unquestioning observance of every Talmudical injunction no matter how absurd or impossible; for him too the time element in religious development did not exist; whatever was prescribed was sacred; to remove one stone from the Talmudical foundation whereon rabbinical Judaism rested meant for him the endangering of the safety of the whole edifice. Hence any one who denied the validity of each and any Talmudical enactment, stood without the pale of Judaism. His standpoint and that of Geiger who denied such inviolability to Talmudical legislation were irreconcilable. The two interpretations of Judaism were thus brought face to face in practical life as they had never been before. The vital question embodied in the conflict attracted the attention of all Jewry; the agitation in the Breslau congregation assumed far more than local importance; a great principle was at stake; stripped of all side-issues the situation narrowed itself

<sup>1</sup> See his interesting account in a letter to his friend, M. A. Stern, published in *Nachgelassene Schriften*, V, 148.

<sup>2</sup> *Allgemeine Zeitung des Judenthums*, IV, 66.

down to the one all-important and significant point as to whether a man who examined the institutions of Judaism critically, and announced his honest conclusions as to their development and their present validity could hold the rabbinical office; in other words, whether freedom of thought and research could go hand in hand with the exercise of rabbinical functions. Tiktin and his congeners maintained that the whole system of rabbinical tradition was sacred and not to be desecrated by the profane touch of investigation; what the former generations had prescribed was of eternal sanction and authority; as he put it tersely, "Whoever disregards any command or prohibition of the Talmud must be considered an unbeliever and as standing without the pale of Judaism, and is therefore an untrustworthy witness<sup>1</sup>." Hence the occupant of the rabbinical office must suppress all desire for historical, critical, and scientific study of the rabbinical literature; he must approach it not as an investigator but as a blind partisan; this was the sheerest obscurantism; the last refuge of intrenched authority is to deny the right to inquire into the sources of such authority; the doctrine of infallibility is the logical outcome of this obscurantism, but, much as the Tiktins, the Egers, the Bernays and their fellows declared for Talmudic and rabbinic infallibility they were bound to come to grief, for they were in conflict with the spirit of Judaism which had always permitted the widest freedom of thought.

The situation in the congregation was becoming intolerable. Rabbinical jurisdiction was suspended practically because of Tiktin's persistent refusal to bow to the will of the congregation. Geiger continued in the even tenor of his way; his opponents gave vent to their spite in a number of unseemly acts, undignified incidents in the controversy, which I pass over in silence<sup>2</sup>. The officers of the

<sup>1</sup> *Darstellung des Sachverhältnisses in seiner hiesigen Rabbinatsangelegenheit*; Breslau, 1842, p. 26.

<sup>2</sup> These incidents are given in detail in Geiger's history of the controversy, *Ansprache an meine Gemeinde* (Breslau, 1842), and in Schreiber's *Reform Judaism and its Pioneers*, Seattle, 1892, 306 ff.

congregation, in their desire to relieve the situation, suggested that Geiger be merely the preacher and not the rabbi of the congregation. This separation of the office into two parts as a solution of the difficulty was resorted to by a number of congregations in those days, as Vienna, Prague, and somewhat later Berlin. It implied the recognition of an old and a new Judaism, the old represented by the rabbi, a strict rabbinist of the Tiktin type and the new by a young man of modern education. The rabbinical and the homiletic functions were thus kept absolutely distinct. The rabbi presided over the *Beth Din*, and was supreme in all matters of ritual; the preacher delivered sermons in the vernacular and conducted the educational activities of the congregation. Geiger refused to be a party to any such compromise. He claimed that the division of Judaism into two parts, the one quick and the other dead, which this arrangement presupposed, harmed the religion incalculably in the estimation of its own followers. It made the formation of two parties inevitable, the one, following the leadership of the rabbi, must look upon the preacher as an unbeliever, while the other, adhering to the preacher, would consider the rabbi an ignorant obscurantist; such states of mind must lead without fail to a schism in fact as well as in thought, and Judaism would be in a sorrier condition in the end than it was at the beginning. No, the spiritual guide of the congregation must combine within himself both functions; in him past and present must meet; such an artificial distinction was purely opportunistic; if such a division of functions were sanctioned how could the continuity of historical Judaism ever be impressed upon the present generation<sup>1</sup>? Geiger was undoubtedly correct in this position, and he contributed greatly towards a correct appreciation of the situation by his firm and immovable stand. If the new conditions in Jewry, arising from the civil and educational emancipation, demanded a readjust-

<sup>1</sup> *Ansprache an meine Gemeinde*, in *Nachgelassene Schriften*, II, 265; *Wissenschaftliche Zeitschrift*, I, 256.

ment all along the lines of Jewish life and thought, then the real leaders would be men, who, thoroughly versed in the lore of the past, were at the same time men of the present; the breach between the traditionalists and the moderns could be healed only if the people had ocular evidence of the fact of the continuity of Judaism in the attainments and activity of the rabbi-preacher, the meeting-point of the two streams, tradition and modern culture, that would have to coalesce were Judaism to be a living force in the modern time and under the new conditions. Only a keen mind like Geiger's could pierce to the heart of this matter which involved really the whole question as to whether Judaism was a religion that could adapt itself to the changing needs of successive generations or a closed system without capability of development. If the former, then the separation of the functions of the office was justified, and the rabbi, the representative of the principle of fixedness, was the true leader, while the preacher was simply the representative of a latter-day fad superimposed upon Judaism. If the latter, then such a separation was invalid, for the functions of the preacher were simply the modern expression of the rabbi's duties. Hence, although in the Jewish annals of the time some men are designated rabbi and others preacher, showing that this artificial distinction was sanctioned and officially recognized in some places, we cannot but feel that Geiger was correct in his attitude and had the true conception.

Here then was an *impasse*. Tiktin would not consent to serve with his newly elected colleague, and Geiger would not agree to the separation of the functions. The relations became so strained that the governing body of the congregation was forced to suspend Tiktin from office. In order to fortify himself in the position he had taken, Tiktin had addressed various rabbis of Upper Silesia for an expression of opinion. He obtained responses from the rabbis (all of the olden school) of Posen, Lissa, Beuthen, Lubinitz, Nicolai, Ratibor, Myslovitz, Rybnick, Guttentag, Rosenberg,



and Landsberg, all of whom, as was to be expected, vindicated him in the stand he had taken; nine of their number addressed the administrative body of the congregation directly. In June, 1842, Tiktin published a pamphlet entitled *Darstellung des Sachverhältnisses in seiner hiesigen Rabbinatsangelegenheit*; he included in this the response of Solomon Eger, rabbi of Posen, the response of the rabbinate of Lissa, and the address of the nine rabbis. This was an appeal to the larger Jewish world, and the controversy passed beyond the local stage. Tiktin and his colleagues stated their position clearly and unmistakably. They read Geiger and all who thought as he did out of Judaism. They declared the plenary inspiration of the Talmud a dogma of Judaism. They denied the right of freedom of thought and investigation as far as any traditional form, custom, or ceremony that was observed in Israel was concerned. Never before had these things been so apodictically stated. The issue was now clear. According to these rabbis Judaism was a fixed and immutable system. Every minor law codified in the *Shulchan Arukh* was of equal validity with any religious command of the Bible; such a law as ordered a married woman to conceal her natural hair beneath a wig had equal sanction with the Ten Commandments. Absurd as this seems when thus baldly stated, it is really the standpoint of rabbinical Judaism. But I will permit the opponents of Geiger and the reformers to state their own case. The chief rabbi of Posen, Solomon Eger, declared that "only he can be considered a conforming Jew who believes that the divine law book, the Torah, together with all the interpretations and explanations found in the Talmud, was given by God himself to Moses on Mt. Sinai to be delivered to the Jews and to be observed by them for ever; further, Moses delivered the oral and written law revealed to him to his successor Joshua, Joshua to the so-called *Zekenim* (elders), these to the prophets, and the prophets to the men of the Great Assembly. These oral divine traditions are the very same

as, collected in the Talmud, we are commanded to obey. He, however, who departs from these paths, who believes in the authenticity of the written law alone as divinely given, but considers the interpretation of this written law as Talmudically ordained and prescribed a purely human work, subject to changes, is not to be considered an Israelite, but belongs to the sect of Karaites, who separated themselves from the Jewish as well as the Christian religion <sup>1</sup>."

This dogma was stated even more explicitly by the rabbin-ate of Lissa; "All commandments and prohibitions contained in the books of Moses, and that too in the form that they have received by Talmudical interpretation, are of divine origin, binding for all time upon the Jews, and not one of these commandments or prohibitions, be its character what it may, can ever be abolished or modified by any human authority <sup>2</sup>."

These statements represent the standpoint of Tiktin and his confreres, and basing upon this interpretation of what is authoritative in Judaism, Tiktin accused the governing board of the congregation of having "selected a *dayan* in disregard of and opposition to the religious convictions of wellnigh the entire congregation as well as of the traditional Judaism of a thousand years' standing; a *dayan* who in spoken and written discourse denies unreservedly the authoritative validity of this traditional Judaism and whose call and mission appear to be to extirpate it root and branch for all time"!

The position could be stated no more strongly and definitely than thus. These men acted and wrote according to their light. Holding the convictions that he did Tiktin could not have done otherwise, and although the petty persecution and the childish petulance which he and his party indulged in are inexcusable, yet can he not but be respected for the firm stand which he took in support of

<sup>1</sup> *Darstellung des Sachverhältnisses*, &c. Appendix 1.

<sup>2</sup> *Ibid.* Appendix 2.

his beliefs. I may consider him and his sympathizers narrow, bigoted, and fanatic from my point of view, but it may not be forgotten that he and they believed sincerely that Geiger and the reformers were undermining Judaism. The fact of the matter was, however, that Geiger was misrepresented somewhat in the statement of Tiktin which has been quoted above. He had declared openly and clearly that the same man could and should separate his rabbinical from his literary activity, i.e. a rabbi might as a critical student declare against the propriety and validity of some or many practices in Judaism, and yet he must observe them in his practical activity as rabbi until they be changed or abolished by the concerted opinion or action of competent leaders and authorities. Thus the rabbi as student in his investigations into the origin and significance of the Mosaic institution of *chalitzah* (release from levirate marriage), might be persuaded that this act is out of place under modern conditions, and yet in his official capacity he must countenance it until the religious authorities of the generation declare that the act is to be no longer performed among Jews. The individual rabbi might hold and promulgate the most advanced and radical views on the significance of traditional doctrines and practices, but in the conduct of his office he must conform to tradition so long as a competent and recognized authoritative body had not legislated otherwise. In other words, liberality of thought and investigation and orthodoxy in practice could be combined in one and the same person. The truth of the matter is, however, that the spirit of the age worked silently, and many a rabbinical enactment and many a practice of aforesaid went by the board simply because they had become impossible under the changed circumstances in which the people lived. Therefore hundreds of the injunctions which constituted the body of rabbinical observance up to the nineteenth century passed out of Jewish life without special enactment by any authority, for the simple reason that they had lost all meaning. Life legislated

them out of existence. The spirit of the age was indeed the new revelation.

But to return to our narrative. The governing board of the Breslau congregation was put on the defensive by the manifesto issued by Tiktin and his party; they were accused of having subverted the traditions of Judaism by their act of electing a rabbi whose explanation of the religion was different from the orthodox interpretation. There was, however, a much farther-reaching point involved. The rabbis of Posen, Lissa, and Upper Silesia had declared that the whole body of Talmudical and rabbinical legislation was inviolable; to doubt its eternal validity was heresy; they had read out of Judaism any one who denied the dogma of Talmudical infallibility; hence they denied practically freedom of thought. This was vital. Were free thinking and free investigation compatible with the rabbinical office or no? was the rabbi simply an interpreter of what the past had handed down, or was he permitted to flood each and any institution and doctrine with the light of investigation? was it true that Judaism had ever denied freedom of thought? The officials of the congregation determined to submit these all-important questions to recognized leaders of thought in Jewry. They stated the point at issue well and clearly in the address which they presented to these leaders. They wrote thus: "The question to be decided is whether progress is possible in Judaism or whether strict fixedness is commanded; whether the great number of our co-religionists, who entertain opinions about the value and validity of Talmudical enactments different from those held in former centuries, may still claim the name Jew or are to be considered unbelievers; whether Jewish theology can endure scientific treatment and free investigation or whether the traditional views which are at variance with all culture may not be touched, nay, not even examined; and whether a man who champions openly and strives eagerly to spread a free, scientific,

Jewish-theological conviction is entitled to occupy the rabbinical office or is unfitted for it. Tiktin has emphasized these points with unmistakable clearness, and has declared most positively the non-permissibility of any progress; the impossibility of even the slightest change; Eger (of Posen) has even stated that any one who deviates from the Talmudical interpretation of Biblical commands must be considered an unbeliever and a renegade from the House of Israel."

Such being the state of affairs, they felt themselves called upon to obtain expressions of opinion on these points from men of standing and authority. They received a number of important responses which they published as a reply to Tiktin's *Darstellung* in two volumes in September, 1842, and March, 1843, under the title *Rabbinical Responses on the Compatibility of Free Investigation with the Exercise of Rabbinical Functions* ("Rabbinische Gutachten über die Verträglichkeit der freien Forschung mit dem Rabbineramte"). The first volume contains the responses of the Rabbis Joseph Abraham Friedländer of Brilon, Aaron Chorin of Arad, Samuel Holdheim of Schwerin, B. Wechsler of Oldenburg, Abraham Kohn of Hohenems, S. Herxheimer of Bernburg, David Einhorn of Hoppstädten, M. Hess of Stadt Lengsfeld, M. Gutmann of Redwitz, and M. Wassermann of Mühlingen; the second volume includes the responses of the Rabbis B. Levi of Giessen, Joseph Aub of Baireuth, Joseph Kahn of Trier, Joseph Maier of Stuttgart, L. Adler of Kissingen, Leopold Stein of Burgkunstadt, and E. Grünebaum of Landau<sup>1</sup>. This was the most important publication that had yet appeared in this agitated religious period, more important indeed than a similar collection of responses published a short time previously by the officers of the Hamburg

<sup>1</sup> The response of Rabbi Fassel of Prossnitz, Hungary, was not included in these volumes for reasons stated by the governing board of the Breslau congregation in the preface to the second volume. The response was published in the *Literaturblatt des Orients* (Nos. 5-8, 1843).

congregation on the subject of the new edition of their prayer-book<sup>1</sup>, for these responses touching the Geiger-Tiktin affair really covered the whole field of the justification of reforms in Judaism. Because of this I feel it necessary and profitable to quote even though at some length from these responses characteristic and telling paragraphs, for they express well the tendencies of the religious thought of the time.

Joseph Abraham Friedländer, rabbi of Westphalia, an old man eighty-six years of age, who had filled the rabbinical office for sixty years, was one of the few older rabbis who appreciated that a new era had arisen for Israel and that a reformation was imperative if Judaism was to be something more than a lifeless survival from a past age<sup>2</sup>. He wrote, "Mishnah and Talmud were not delivered to Moses on Sinai, but are a collection of interpretations of the law dating from a later age. They have no eternal obligatory authority. The ancient sages and interpreters did not desire to prevent later generations from modifying their decisions in accordance with the changed needs and circumstances of their age, nor even from adding to or subtracting from them; on the contrary, they laid down the most widely differing subjective interpretations in order that every one might be able to choose whatever view appealed most to him<sup>3</sup>." "The reason for obeying the commands and ceremonies is always given (Exod. xii. 17; Lev. xxvi. 43). The teachers of all ages have done likewise; they investigated thoroughly the reasons for all enactments. And for this reason, the Israelites of aforesaid times reformed the ritual as often as they considered it necessary, and changed conditions have not diminished in the least this right to reform for modern Jews<sup>4</sup>." The

<sup>1</sup> *Theologische Gutachten über das Gebetbuch nach dem Gebrauche des neuen israelitischen Tempelvereins in Hamburg*, Hamburg, 1842.

<sup>2</sup> See the author's "Beginnings of the Reform Movement," &c., *J. Q. R.*, XV, 518.

<sup>3</sup> *Rabbinische Gutachten über die Verträglichkeit u. s. w.*, I, 4.

<sup>4</sup> *Ibid.* 9.

rabbis followed to the utmost consequences the principle היתה "הוראת שעה" "it was a need of the hour." Thus we read in the Talmud that a certain man who rode an ass on the sabbath was condemned to death by a *Beth Din*. The court was reminded that such a penalty was not prescribed in the Law for this offence. The court answered, "the time demands it, for there are too many violators of the sabbath<sup>1</sup>."

Aaron Chorin, the aged rabbi of Arad in Moravia, who at this time was seventy-six years of age, was the most celebrated of the older rabbis among the progressists<sup>2</sup>. He had suffered persecution for his reform tendencies and activities. He urged particularly the convening of a synod which should decree the necessary reforms and place the stamp of authority upon them. He had broken many a lance in the cause of progress in a number of well-known writings<sup>3</sup>. He cited in his response many instances from the Talmud and the rabbinical writings in support of his position. He states as a general principle the following: "It must be confessed that customs, laws, and ceremonies are so absolutely necessary for every religious community that its existence is almost unthinkable without them. But, on the other hand, it is not only repellent to human nature, but inconsistent with the dignity and sublimity of the divine will, that any ceremonies connected with the religious services, ritual observances, or ascetic institutions should be considered binding and unchangeable for all times and places under all changing conditions and circumstances<sup>4</sup>." He exclaims impatiently in a note: "I do not know whether I ought to consider the statement of the rabbis (quoted by Tiktin in his *Darstellung*) to the effect that any divergence from a Talmudical opinion is absolutely forbidden as involuntary delusion or intentional blindness.

<sup>1</sup> *Rabbinische Gutachten über die Verträglichkeit* u. s. w., I, 12.

<sup>2</sup> See the author's "Beginnings of the Reform Movement," &c., *J. Q. R.*, XV, 512.

<sup>3</sup> ראש אמונה, Prague, 1803; דבר בערו, Vienna, 1820; עמק השדה, Ofen, 1837; and לר קנים, Vienna, 1839.

<sup>4</sup> *Rabbinische Gutachten*, I, 18.

Why, the greater part of the Talmud is merely an aggregate of contradictory and conflicting opinions; and we are to consider all this as divine revelation, dispassionate criticism of which lays one open to excommunication<sup>1</sup>!" "It is a principle of Jewish tradition that every sanhedrin has the duty to uphold the religion (לחוק הדת) for its day and generation, and in order to further the welfare of the community (מפני חקן העולם) it shall not only simply cling to the dry letter of the law, but be guided by its spirit, and bind and loosen according to the needs of the age, even as Maimonides says (*Mamrim*, II, 4), 'every *Beth Din*, even though it fall behind its predecessor in knowledge and in numbers, is warranted to abrogate for an indefinite time the ordinances of that preceding *Beth Din*; for the ordinances of a *Beth Din* cannot possibly be of greater authority than those of the Torah, which also are suspended indefinitely, because this is necessary for the maintenance of our faith<sup>2</sup>.' And he declares, in direct reference to the case at issue: "It is absolutely against the spirit of our holy religion to either condemn or excommunicate a rabbi because of individual views or opinions concerning the temporary forms of our faith. In as far as his activity furthers that higher religious and moral tendency, which is the chief object of our faith, he is deserving of that appreciation and respect which ought never to be withheld from him who strives to be true to the duties of the holiest vocation, and who perseveres courageously despite all the obstacles placed in his path<sup>3</sup>."

Samuel Holdheim, second in importance only to Geiger in the history of the movement for reform in Judaism, wrote a lengthy response, in which he discussed thoroughly the true significance of tradition in Judaism. Because of Holdheim's great importance as a leader in the reform movement, space must be given here to a brief characterization of his life and thought. He represents the interesting evolution from extreme orthodoxy to radical reform. Born in Kemper in the province of Posen in 1806, he received

<sup>1</sup> *Rabbinische Gutachten*, I, 22.

<sup>2</sup> *Ibid.* 23.

<sup>3</sup> *Ibid.* 32.



a thorough Talmudical education, and became an adept in Talmudical dialectics. His great Talmudical attainments were supplemented by modern philosophical and literary culture acquired in the universities of Prague and Vienna. He was appointed rabbi of the congregation of Frankfort on the Oder in 1836, and almost at once became a leading figure in the Jewish religious world. He espoused the cause of reform in sermon and pamphlet, pointing out the distinction between the temporary and the eternal in religion, between the "perishable shell" and the "everlasting kernel" of divine truth. He became chief rabbi of Mecklenburg-Schwerin in 1840. In an answer to an anonymous assailant who had attacked the new edition of the Hamburg prayer-book issued in 1841, he makes his position on the significance of tradition and the Talmud very clear. He believed with Geiger in the principle of tradition but not in the infallibility of the Talmud as an authority; the Talmud is the product of many centuries and of many minds, and the most divergent opinions are to be found in it; he claimed that to demand unquestioned acceptance of every expression of every rabbi was to confuse things human and divine. His chief contribution towards a solution of the vexing problems of his day was his book published in 1843, *Autonomy of the Rabbis and the Principle of the Jewish Marriage Laws* ("Ueber die Autonomie der Rabbinen und das Prinzip der jüdischen Ehe"). The direct cause for the writing of this book lay in the peculiar state of affairs in Mecklenburg touching marriage and inheritance among the Jews; these were regulated according to Talmudical legislation, and there were frequent difficulties. Holdheim advanced the thesis that the laws of the state and not Talmudic legislation should regulate these things. An additional incentive to action on his part at this time arose from the circumstance that the Prussian Government was contemplating an Act of Incorporation for its Jewish subjects; by this Act the Jews were to be incorporated into separate communities of their own, apart from their fellow citizens.

Holdheim contended against this with all his might. He urged that the Jews were no longer aliens but natives, and did not desire a separate incorporation. The contemplated legislation would be a decided step backward from the law of 1812, which had declared the Jews to be distinct in their religion only<sup>1</sup>. The modern life of the Jew demanded three things: first, that the autonomy of the rabbis must cease; secondly, that religious affairs must be separated from civil and political issues; and thirdly, that marriage is a civil act according to the teachings of Judaism. In other words, he insisted that Jewish nationality had come to an end long ago, and that the Jews are as all other citizens in all national and civic functions, and are distinct only in their purely religious concerns.

As time went on Holdheim grew more and more radical in his views. He was elected rabbi of the newly organized reform congregation of Berlin in 1846; in his book, *The Principles of Reformed Judaism*, published in 1847, he develops at length the thought of the universal elements in Judaism as contrasted with the transitory. His radicalism of thought found practical expression in such extreme steps as declaring valid marriages between Jews and such as hold the monotheistic belief, and the introduction of services on Sunday. I shall have occasion hereafter to give his views on the many subjects involved in the controversies of the period, and have therefore given here merely the barest outline of his thought. He went to much greater lengths in the practical application of his ideas than did Geiger, who, radical as he was in thought, remained more conservative in practice than did his great contemporary. Holdheim discarded altogether in his practice as in his thought the particularistic features that characterized traditional Judaism; his purpose was to teach the universal in religion as it had found expression in Jewish thought; in his campaign against the excesses of Talmudic formalism.

<sup>1</sup> See the author's "Beginnings of the Reform Movement," &c., *J. Q. R.*, XV, 498.

he made the serious error of quite underestimating the place of ceremony in the religious life. However, the service that he performed in setting forth clearly and unequivocally the philosophy of the reform movement is invaluable; his pamphlets, books, and sermons are a treasure trove of high thoughts on the eternal realities and permanent verities of the Jewish faith. In his response in the Geiger-Tiktin affair he treated particularly the question of the place of tradition in Judaism. He contended that the duty of the Jew in this matter was to believe in the principle of tradition as exemplified in the Talmud, but not in the Talmud as such nor in the utterances of the rabbis of ancient times as such. He speaks of this principle of tradition as "the principle of eternal youth, the principle of continuity, constant development and growth out of the primitive germs which God himself placed in Scripture." After adducing many instances showing that even in times ago the great lights of Jewish learning had laid no claim to authority for their decisions without giving Scriptural warrant for them, and that they therefore never arrogated to themselves more than human power, he continues: "If then the rabbis never assumed a higher authority than they had a right to as men, and took no step without giving the reasons which justified them in taking this step, a later generation can certainly not be prevented from examining by earnest investigation the validity of this justification, in order to learn whether their authority, which was rightfully respected at one time, has not ceased, and whether a later age has not an equal right to determine what is absolutely necessary for its welfare and to satisfy its religious needs in a suitable manner. . . . The spirit remains the same although the times change. That genius that moved and enlivened the old world of the rabbis moves and enlivens us also. It is the same striving to develop our ancient faith continually and to rescue it from destruction<sup>1</sup>."

<sup>1</sup> *Rabbinische Gutachten*, I, 60.

"Had the rabbis lived in our times," he says further on, "and become imbued with their tendencies in an equal degree as they did with the tendencies of their own age, they would have explained the Bible in a different manner. Their interpretation, then, is naught else but a product of the religious point of view of their time<sup>1</sup>."

B. Wechsler, rabbi in Oldenburg, whose name figures frequently in Jewish publications of this period, and who played a rather prominent part in the religious activities connected with the forward movement, put this pertinent query: "Who would deny to Judaism the capacity for development which is in truth its by nature, because, forsooth, our co-religionists sought their salvation in the ages of oppression and persecution by holding fast anxiously to past tradition, especially since even in those troublous times the need of the age sometimes forced them to take a progressive step, as witness the pronouncements of Rabbenu Gershom<sup>2</sup> against polygamy and the levirate marriage, &c.<sup>3</sup>" On the point at issue as to the compatibility of freedom of investigation with the exercise of the rabbinical office, he says clearly: "Jewish theology not only sanctions scientific method and free research, it even insists on them; they are indispensable. If light is to break in upon the chaotic confusion of opinions and views, if proper limits are to be set to the caprice of subjective interpretation and explanation, in the religious province as well as to the useless reference to ambiguous authorities—scientific method alone will accomplish this. But all minor considerations and circumstances aside, that system of theology is not deserving the name . . . that answers the thinker with edicts of excommunication and with persecution

<sup>1</sup> *Rabbinische Gutachten*, I, 71.

<sup>2</sup> A great rabbi, known as "The Light of the Exile," who lived from 960-1028; though born in France he settled in Mayence, where he founded a school; he was renowned as a Commentator of the Talmud, but he is best known for certain decrees which he issued, among others the one forbidding polygamy; see Graetz, *History of the Jews* (Engl. transl.), Philadelphia, 1894, III, 2, 44.

<sup>3</sup> *Rabbinische Gutachten*, I, 86.

instead of with reasons ; in pursuing such a course our religion would depart from the way of intelligence and enter the desert of witless sanctity founded upon works whereas Moses and the prophets insist continually on an intelligent grasp and recognition of those things that constitute Judaism<sup>1</sup>."

Abraham Kohn<sup>2</sup>, rabbi of Hohenems in Tirol, summed up his thoughts in a number of paragraphs, in the first of which he contended that the institutions of the Jewish faith are not unchangeable, and illustrated this statement by pointing out the various stages that the public worship had passed through. He then continued : "The statutes of rabbinical Judaism, despite their manifoldness and their particularity, were never applied so strictly as to overlook the demands of life (in its broader scope); in truth one of its main principles is 'that man may live through them (Lev. xviii. 5) and not die through them.' From this we learn, says Maimonides (*Hil. Sab.*, II, 3), that the commandments of the Torah were intended to bring into the world not revenge (inconsiderate severity) but mercy, consideration, and peace; and Scripture says of such heretics as declare an act done to save a human life to be a desecration of the Sabbath : 'I gave them also statutes which were not good and judgments whereby they should not live' (Ezek. xx. 25). Now, the Jews of our century in Europe find themselves living under entirely new conditions, such as could not be imagined in a former day, and for which no provision could be made; analogies must be sought, and, in accordance with them, such alleviations as were granted in exceptional cases must be permitted, not

<sup>1</sup> *Rabbinische Gutachten*, I, 92.

<sup>2</sup> This rabbi was the central figure in one of the most unfortunate incidents of those stirring times in Jewish life. He became rabbi of the congregation of Lemberg, Galicia, in 1844; his reform tendencies and progressive views aroused great opposition among the orthodox party, and in Sept. 1848 he met his death, a victim of a fanatic who had poisoned his food. (See Schreiber, *Reform Judaism and its Pioneers*, 171.)

in order that we may make our life more convenient, but in order that we may fulfil our duties to ourselves and our new surroundings the better without breaking with our religion<sup>1</sup>."

I include also his delineation of the causes and effects of the religious situation: "A fatal split in Judaism has resulted from two causes, first, because religious tenets and institutions were kept forcibly on the level of a vanished era, and not permeated with the divine breath of refreshing life, while life itself hurried forward stormily, and, secondly, because the religious leaders, lacking all knowledge of the world and of men, dreamed of other times and conditions, and held themselves aloof from the life of the new generation; hence resulted a superficial rationalism, inimical to all positive and historical faith, side by side with a rigid, unreasoning formalism. On the other hand, only good can follow from the recent endeavours to rejuvenate the religious forms and to re-establish the requisite harmony between life and the faith; the formation of a new sect<sup>2</sup> is to be feared all the less since appreciable differences in the ritual as well as in religious customs have always existed side by side in rabbinical Judaism<sup>3</sup>."

Solomon Herxheimer, rabbi in Bernburg for wellnigh fifty years, and known particularly for his translation of the Bible into German and for his splendid work in the cause of the religious education of the young, declared without circumlocution that "the same need and the same justification which led the teachers of the synagogue of former days to make changes exist in a greater degree than ever to-day;

<sup>1</sup> *Rabbinische Gutachten*, I, 114.

<sup>2</sup> One of the standing charges of the opponents of reform was that the reformers were forming a new sect in Judaism, whereas the reformers claimed that they were simply applying the principle of tradition to the unusual circumstances in which the Jews were living in the new age. The difference between the rabbinical and the reform party in this matter may be put briefly thus, that the reformers made a distinction between *tradition* and the *traditions*; or between *tradition* and *traditionalism*, which the rabbinical party did not.

<sup>3</sup> *Rabbinische Gutachten*, I, 115.

if our modern rabbis do not, like those of former times, make the changes required by European conditions, our co-religionists will take the initiative themselves and, even as daily experience shows, will renounce one rabbinical and Mosaic command after the other, and pass gradually into indifference and unbelief<sup>1</sup>; and he locks horns with the rabbinate of Lissa in no unmistakable manner, by stating "that they prove their assertions by no manner of means." On the other hand, in rebuttal of their position, we refer to the dictum of Maimonides (*Hil. Mamrim*, II), that every *Beth Din* must abrogate even Mosaic commands if this be necessary for the preservation of the religion in the light of the needs of the time. אפילו דברי תורה יש לכל בית דין לעקרו. הוראת שעה. Even the ultra-conservative Isserles says in his response (תשובות רמ"א כ"א), "But if anything arise that the former teachers knew not or were not called upon to decide, then surely a change is as necessary as any alteration mentioned in the Talmud; for the reason that the former authorities had not the present condition in mind when they introduced the custom." Many examples may be cited to prove that Biblical or Talmudical statutes have been modified or abrogated at various times, e. g. the abrogation of the levirate marriage, the modification of the Mosaic law commanding the cancellation of debts in the Sabbatical year (פרויבול)<sup>2</sup>, the permission to use oil purchased from a heathen, &c.<sup>3</sup>

David Einhorn, one of the finest thinkers among the Jewish leaders, was just beginning a career that was

<sup>1</sup> *Rabbinische Gutachten*, I, 121.

<sup>2</sup> A reform instituted by Hillel. It was found that the Mosaic command that all debts were to be cancelled in the Sabbatical year interfered seriously with commercial activity; people were loth to lend money; therefore Hillel ordained that the creditor should make a deposition before a court, which would empower him to collect his debt; or, in other words, that the Sabbatical year was not to cancel the debt. This institution was known as Prozbul (*Mish. Shebiith*, X, 3, 4).

<sup>3</sup> A reform of the patriarch Judah II; it is in connexion with this permission that the famous expression is used that no law ought to continue in force that the people could not carry out (Talm. Bab. *Ab. Zara*, 36 a).

characterized by fervid enthusiasm in the cause of reform. Both in Germany and America he did yeoman's work for the furtherance of the movement he had so much at heart. A clear writer and a great preacher he stands easily among the foremost. The correct attitude towards the Talmud has probably never been stated better than in the few words which he wrote in his response: "Such an infallibility, such an apotheosis (as Tiktin and his supporters claim) we cannot and we may not grant to the Talmud; however strong our belief in its veracity may be, we must refuse and reject such deification; we address the Talmud in these words, 'Israel believes thee, but not in thee; thou art a medium through which the divine may be reached, but thou art not divine'<sup>1</sup>"; and in reference to the abolition of the ceremonies, which was after all the great issue between the two parties in Judaism, he says: "The departure from ceremonial laws, which is the result neither of caprice nor frivolity but the outcome of the honest conviction that such departure is in keeping with the spirit of Judaism and is a pressing demand of its natural development, does not unfit a man for holding the rabbinical office. Naturally such departure may not be merely a matter of fashion or convenience, and may have nothing in common with the forcible introduction of un-Jewish points of view into the province of Judaism, nor with mere subjectivity, nor, in short, with a sort of antipathy to inherited conditions; it must be, however, the product of a deep, honest, unprejudiced investigation into the sacred sources, of a pious earnestness, a glowing enthusiasm, and finally of a ripe conclusion arrived at after weighing all causes and effects in company with other competent men, zealous for God and religion. Then will such a departure be not a condemnable but a highly commendable act, the like of which took place frequently in Talmudical and post-Talmudical times" (see Talm. Bab. *Jeb.* 39 b, 90 b; *Sotah*, 48 a, &c.)<sup>2</sup>.

<sup>1</sup> *Rabbinische Gutachten*, I, 127.

<sup>2</sup> *Ibid.* I, 131.



Moses Gutmann, rabbi in Redwitz, analysed the situation very clearly when he wrote, "If ever the Talmudical application of the Biblical sentence *עת לעשות ל'י הפרו חורתך* (Ps. cxix. 126) 'it is time to work for the Lord, they disregard thy law,' seemed necessary, this is the case in our days. One must either close one's eyes intentionally in order not to see, or must transport himself into the dark days of the past when stupor and death lamed every aspiration among the Jews, and thus be out of all touch with the life and activity of the present, if one fails to recognize the great changes which have been taking place for more than a generation in the religious convictions of our co-religionists, and which are growing day by day. . . . The number of those who cannot acknowledge as divine commands the innumerable laws which have been deduced by the rabbis of later centuries is increasing constantly. In addition, life and the state make far different demands upon the Jew to-day than was the case formerly. . . . Sufficient to say, a conflict exists between the traditional interpretation of the faith, and the life and convictions of a great number of Jews, and a remedy is immediately and absolutely necessary, if the breach is not to grow and in the end become incurable<sup>1</sup>."

Joseph Aub, rabbi in Baireuth at this time but later in Berlin, called attention to the inevitable result of the practical acceptance of the thesis of the opponents of Geiger: "The consecrated and the consecrating spirit, not the dead and killing letter, is to be preserved. Karaism holds fast to the letter of the Torah. Will it prove less injurious to hold fast to the letter of the Talmud than to that of Sacred Writ? Hence one is almost tempted to cast the reproach of Karaism upon those who charge with it such of their colleagues as do not shun scientific investigation. Let them do away with the weapons of damning and heresy-hunting which are foreign to Judaism, and pursue the method of peaceful refutation and explanation. No

<sup>1</sup> *Rabbinische Gutachten*, I, 184.

sensible persons can be frightened, nor any intelligent court be deceived by the cries of deism or atheism which the obscurantists raise at every deliverance of science. It is possible to stand firmly on the basis of positive Judaism without swearing unswerving allegiance to Talmudism<sup>1</sup>."

In the same vein Joseph Maier, ecclesiastical counsellor (Kirchenrath) and rabbi in Stuttgart, expressed himself. "As far as I am concerned personally, I state openly and above board that I consider the subordination of the reason to the authority of any person to be idolatry as pronounced as that of blind heathenism. For where lies the difference if I bow the knee before a lifeless image of wood or stone or worship as divine the dead letter of a Rabbi Akiba, a Rabbi Tarphon, &c.? Yet up to the time of the rabbinate of Lissa no teacher in Israel demanded such blind subjection to the pronouncements of the Talmudists; in truth, the foremost teachers of the synagogue recognize the right of the reason to investigate the whole content of religion; yea, they deem it to be the duty of the Israelites to make the teachings and truths of religion a matter of conviction by means of thought and research (see Bachya, Introduction to *Choboth hal-l'baboth*, Saadia in his *Emunoth we-deoth*, Elia del Medigo in his *Bechinath ha-Dath*, &c.)<sup>2</sup>."

As the closing extract from this important collection I quote the words of Leopold Stein, rabbi in Burgkunstadt, Bavaria, later in Frankfort-on-the-Maine, who became one of the striking personalities in Jewish life in the nineteenth century. "We feel," he wrote, "that Israel also is likely to suffer from the throes of the present age, and from the pangs of mankind struggling for better things; and just as little as we doubt the success of the latter, even so do we trust with unshakable confidence in God that lasting peace will ensue from the contests now being waged in Israel, and that our holy faith will issue from the struggle purified and clarified. Our hope lies in the future, our zealous striving in the present. This zeal, however, must go hand

<sup>1</sup> *Rabbinische Gutachten*, II, 10.

<sup>2</sup> *Ibid.* 64.

in hand with rational insight and calm weighing of conditions. The friends of progress, in whose ranks I gladly enrol myself, may not forget, in their eagerness to reach the goal, to tread the path of moderation, which alone can lead to success. They must consider constantly whether they do not harm their cause more than they benefit it by their words and deeds, and they may never leave out of account the great number of their co-religionists who think differently, and to instruct whom must be one of their prime objects. The conservatives, on the other hand, against whom are arrayed all the signs of an agitated, progressive age, must beware especially of blind fanaticism and harsh condemnation of such of their co-religionists as think differently from them, lest they alienate these still more, and our religious community, which in fundamentals is one as yet, be divided violently by mischievous and irremediable methods<sup>1</sup>."

The decisive answer of so many respected Jewish leaders, to the effect that freedom of thought and investigation was compatible with the occupancy of the rabbinical office, and that Judaism had never sanctioned the fettering of the intellect, as Tiktin and his sympathizers demanded, was indeed a conspicuous signpost in the march of religious progress. The governing board of the Breslau congregation felt itself justified in the steps it had taken. In August, 1842, the members of the congregation presented an address to Geiger, in which they denounced the tactics of his opponents, and expressed their appreciation of his work as a teacher of pure Judaism (*echtes Judenthum*)<sup>2</sup>. He was confirmed in his position from many sides. Still the bitterness of the opposition was not assuaged. The death of Tiktin, in March, 1843, might have put an end to the unfortunate state of affairs, had not a Governmental decision, delivered a short time before, declared his suspension by the officers of the congregation invalid. This inspired his party with new hope, inasmuch as they counted now on

<sup>1</sup> *Rabbinische Gutachten*, II, 83.

<sup>2</sup> *Nachgelassene Schriften*, V, 162.

the support of the Government. The certainty that Geiger would be elected chief rabbi, the position that Tiktin had filled, caused the opposition to take the decided step of withdrawing from the congregation and resolving to form a new congregation. The Government was appealed to by the officers of the congregation, and, although unwilling at first to meddle any further in the affairs of the Jewish community, still it was forced to take a hand, as the only effective way of settling the dispute, which waxed more unpleasant from day to day. On October 26, 1844, the Government issued a rescript, in which it declared that Geiger was the chief rabbi, that a second rabbi was to be elected, and that there should be no split in the congregation; the rescript continued, "We serve notice that the Government cannot interfere in the controversies of the Jews concerning their ritual; it is incumbent upon them to come to some agreement as to what they consider necessary and proper for the furtherance of the spirit of their religious affairs." The opposition protested, it is true; they had elected Tiktin's son as rabbi in his place, but they had to submit at last to the Government's decision. Twenty-one years previously the Prussian Government had stopped all changes in the ritual, by declaring that no innovation of any kind was permitted; now, by stating that the Jewish congregations themselves had to regulate their own internal affairs, it implied the right of the congregations to govern themselves as they would, and hence to make whatever changes they considered necessary. The outcome of the Geiger-Tiktin controversy was a decided gain for the cause of progress; it resulted in the open discomfiture of the party of obscurantism, and in a triumphant vindication of the essentially Jewish doctrine of liberty of thought and research.

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